

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KHALID STEWART,

Plaintiff,

-against-

PRINCE TELECOM, INC.,
DYCOM INDUSTRIES, INC.,
and
XYZ ENTITIES 1-5,

Defendants.

ECF Case

**NO. 10 CV 4881 (AKH)
(GWG)**

**NOTICE OF JOINT MOTION
TO REOPEN AND FOR APPROVAL OF THE SETTLEMENT**

PLEASE TAKE NOTICE THAT the Parties in the above-captioned action hereby jointly move for an Order¹ (1) vacating the Court's March 24, 2011 order closing this action; (2) restoring this action to the Court's active docket; (3) amending the Complaint to add Broadband Express LLC and Cavo Broadband Communications LLC as Defendants; (4) approving the Parties' settlement agreement pursuant to the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.*; (5) following such approval, dismissing this action in its entirety with prejudice; and (iv) for such other and further relief as the Court may deem just and proper.

This motion is based upon the annexed Memorandum of Law in Support of Joint Motion for Approval of the Settlement of FLSA Claims and Lawsuit and Dissemination of Notice and upon all of the papers and proceedings herein.

¹ For the Court's convenience a Proposed Order is attached hereto as Exhibit A.

Such motion shall be made before the Honorable Alvin K. Hellerstein, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, on a date and time to be set by the Court.

DATED: May 13, 2011

Respectfully submitted,

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on May 13, 2011, I filed the Notice of Joint Motion to Reopen and for Approval of the Settlement with the Clerk of Court using the CM/ECF system, which automatically will send e-mail notification of such filing to all attorneys of record, including the following:

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/s/ Robert S. Whitman

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